

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

_____)	
IN RE DIET DRUGS)	
(PHENTERMINE/FENFLURAMINE/)	MDL No. 1203
DEXFENFLURAMINE) PRODUCTS)	
LIABILITY LITIGATION)	
)	
_____)	
THIS DOCUMENT RELATES TO:)	
GWENDOLYN HART <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. No. 02-20141
)	
v.)	
)	
WYETH <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**WYETH'S NOTICE OF WITHDRAWAL OF ITS MOTION TO DISMISS
THE CLAIMS OF PLAINTIFF ORIGINALLY NAMED IN THE
HART COMPLAINT WHO DID NOT TIMELY FILE
A SEVERED AND AMENDED COMPLAINT**

Wyeth hereby files a Notice of Withdrawal of its Motion to Dismiss the Claims of Plaintiff Originally Named in the *Hart* Complaint Who Did Not Timely File a Severed and Amended Complaint.

Plaintiff Pamela Hitchen has stipulated to dismiss her case and does not intend to pursue her claims. For this reason, Wyeth withdraws its motion.

Respectfully submitted,

/s/ Richard Kornylak

Peter L. Zimroth
ARNOLD & PORTER LLP
399 Park Avenue
New York, NY 10022
(212) 715-1010

Daniel S. Pariser
Richard Kornylak
ARNOLD & PORTER LLP
555 Twelfth Street, N.W.
Washington, DC 20004
(202) 982-6216

Michael T. Scott
Paul B. Kerrigan
REED SMITH LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103
(215) 851-8248

Attorneys for Defendant Wyeth

Dated: February 18, 2005

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Wyeth's Notice of Withdrawal of its Motion to Dismiss the Claims of Plaintiff Originally Named in the *Hart* Complaint Who Did Not Timely File a Severed and Amended Complaint was served this 18th day of February, 2005 by first-class mail, postage prepaid, upon counsel appearing on the attached Service List.

Wyeth's Notice of Withdrawal has been filed electronically and is available for viewing and downloading from the ECF system.

/s/ Richard Kornylak

Dated: February 18, 2005

SERVICE LIST

Darleen Marie Jacobs, Esquire
Jacobs & Sarrat
823 St Louis Street
New Orleans, LA 70112
Counsel for Plaintiffs

Mark Philip Glago, Esquire
Robert G. Harvey, Esquire
Tamara Kluger Jacobson, Esquire
Harvey, Jacobson & Glago APLC
2609 Canal Street
New Orleans, LA 70119
Counsel for Plaintiffs

Richard N. Laminack, Esquire
O'Quinn, Laminack & Pirtle
440 Louisiana Street
Suite 2300 Lyric Center Building
Houston, TX 77002
Counsel for Plaintiffs

Gregory P. Miller, Esquire
Miller, Alfano & Raspanti, P.C.
1818 Market Street
Suite 3402
Philadelphia, PA 19103
Special Discovery Master

Andrew Chirls, Esquire
Wolf Block Schorr & Solis-Cohen, LLP
1650 Arch Street
22nd Floor
Philadelphia, PA 19103-2097
Counsel for AHP Settlement Trust

Arnold Levin, Esquire
Michael D. Fishbein, Esquire
Levin, Fishbein, Sedran & Berman
510 Walnut Street
Suite 500
Philadelphia, PA 19106
Co-Chair of Plaintiffs' Management Committee

John J. Cummings, III, Esquire
Cummings, Cummings & Dudenhefer
416 Gravier Street
New Orleans, LA 70130
Co-Chair of Plaintiffs' Management Committee

Stanley M. Chesley, Esquire
Waite, Schneider, Bayless, Chesley Co., L.P.A.
1513 Central Trust Tower
One West Fourth Street
Cincinnati, OH 45202
Co-Chair of Plaintiffs' Management Committee

Ms. Deborah A. Hyland
Plaintiffs' Management Committee
Constitution Place
325 Chestnut Street, Suite 200
Philadelphia, PA 19106
Co-Chair of Plaintiffs' Management Committee

Michael T. Scott, Esquire
Reed Smith LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103-7301
Liaison Counsel for Fenfluramine/Dexfenfluramine Defendants

Edward W. Madeira, Jr., Esquire
Pepper Hamilton LLP
3000 Two Logan Square
Philadelphia, PA 19103-2799
Liaison Counsel for Phentermine Manufacturers & Suppliers

Peter G. Resnick, Esquire
McDermott, Will & Emery
28 State Street, 34th Floor
Boston, MA 02109-1775
Co-Lead Counsel for Phentermine Defendants

Edward S. Weltman, Esquire
Goodwin Procter LLP
599 Lexington Avenue, 30th Floor
New York, NY 10022
Co-Lead Counsel for Phentermine Defendants